

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

Yolany PADILLA, *et al.*,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, *et al.*,

Defendants.

Case No. 18-cv-0928 MJP

**DECLARATION OF BENJAMIN
E. STEIN IN SUPPORT OF
PLAINTIFFS' AMENDED
MOTION FOR CLASS
CERTIFICATION**

I, Benjamin E. Stein, hereby declare:

1. I am an attorney licensed to practice law in Idaho (IBN: 9306). My business address is: P.O Box 2109, Boise, ID 83701. I am admitted to practice in the state of Idaho, the United States District Court for the District of Idaho, and the Ninth and Tenth Circuit Court of Appeals.
2. I have been practicing immigration law as an attorney for five and half years. I currently am an associate attorney at Andrade Legal, Inc. in Boise, Idaho. I am also the legal director at the newly founded nonprofit Immigrant Justice Idaho. My practice primarily involves deportation defense and asylum, and federal litigation. I consistently represent individuals before Tacoma, Washington and Salt Lake City, Utah Immigration Courts. I have several pending cases with the Board of Immigration Appeals. I consistently litigate cases before the Idaho District Court and the Ninth Circuit Court of Appeals. I have represented at least a hundred clients in asylum cases

or credible fear proceedings before the United States Citizenship and Immigration Services (USCIS) Asylum Office. From July 9 to July 13, 2018, I represented asylum seekers at the South Texas Family Detention Center in Dilley, TX.

3. In Dilley, I represented at least twenty asylum seekers in credible fear proceedings before the USCIS Houston Asylum Office. To the best of my memory, the Asylum Office routinely failed to conduct a credible fear interview within 10 days after my clients had requested asylum or expressed a fear of return. Additionally, interviews often needed to be rescheduled at no fault of the client due to lack of adequate interpretation services or USCIS internal confusion over the information in the client's alien file.

4. I have represented at least thirty clients in bond proceedings before several Immigration Courts. In the vast majority of cases, clients have to wait more than 7 days after their bond hearing request to have the hearing conducted. I have never had a client receive a written bond decision from an immigration judge with particularized findings unless they file an appeal with the Board of Immigration Appeals. When the immigration judge issues a decision in these cases, it is on a Custody Order of the Immigration Judge form. If an appeal is filed, because the hearing was not recorded, there is no written transcript to consult.

I declare under penalty of perjury of the laws of the State of Idaho and the United States that the foregoing is true and correct to the best of my knowledge and belief. Executed the 6th day of September 2018 in Boise, Idaho.

By:



Benjamin E. Stein

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2018, I filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 6th day of September, 2018.

s/ Glenda M. Aldana Madrid

Glenda M. Aldana Madrid

NORTHWEST IMMIGRANT RIGHTS PROJECT

615 Second Avenue, Suite 400

Seattle, WA 98104

Telephone: (206) 957-8646

Facsimile: (206) 587-4025

E-mail: glenda@nwirp.org